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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,883	01/18/2000	Mitsunobu Ono	P/16-251	8978

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EXAMINER

AN, SHAWN S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/483,883

Applicant(s)

Mitsunobu Ono et al.

Examiner

Shawn An

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 16, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 4 and 9-12 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## **DETAILED ACTION**

### ***Response to Amendment***

1. As per Applicant's instructions in Paper 8 as filed on 12/2/03, claims 1-3 have been canceled, claims 4-10 have been amended, and claims 11-12 have been newly added.

### ***Response to Restriction/Election***

2. Applicants elect without traverse, the distinct specie of Fig. 1 which reads on claims 4 and 9-12. The requirement is deemed proper and is therefore made FINAL.

### ***Response to Remarks***

3. Applicant's arguments with respect to claims 4 and 9-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al (5,627,583) in view of Kato (4,831,444).

**Regarding claim 4**, Nakamura et al discloses an endoscope apparatus, comprising:

a video processing circuit (Figs. 2 and 4, 16) for having a drive signal generation function (21) for driving the image pickup device, and a signal processing function (13, 14, or 23) for

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outputting the standard video signal by processing the output signal from the image pickup device; and

an endoscope function adjusting circuit (Figs. 2 and 4, 16; Fig. 8, 70) comprising a function modifying circuit (24, 25, 26, or 29), connected to the video processing circuit, for modifying at least one of the drive signal processing function (21) and the signal processing function (13, 14, or 23) in accordance with the endoscope having the image pick-up device therein;

wherein the endoscope comprises a delay amount adjusting circuit (Fig. 8, 91) for adjusting signal delay.

Nakamura et al fails to disclose an endoscopic function adjusting circuit comprising a delay amount adjusting circuit for canceling the effect of a signal delay taking place in a signal cable connecting the image pick-up device to the signal processing circuit.

However, Kato teaches a well known endoscopic function adjusting circuit (Fig. 1, 12) comprising a delay amount adjusting circuit (36) for canceling the effect of a signal delay taking place in a signal cable (14) connecting the image pick-up device (10) to the signal processing circuit (12).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing an endoscope apparatus as taught by Nakamura et al to incorporate the Kato's conventional endoscopic function adjusting circuit comprising a delay amount adjusting circuit for canceling the effect of a signal delay taking place in a signal cable connecting the image pick-up device to the signal processing circuit for synchronization of a timing signal.

**Regarding claim 9**, Kato teaches signal processing circuit as being usable with a plurality of insert sections having different respective lengths and correspondingly different internal delay amounts (col. 2, lines 5-12).

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**Regarding claim 10**, Nakamura et al discloses the signal processing circuit as being usable with a plurality of solid-state imaging devices having different respective number of pixels (Figs. 1(a)-1(b), 11-12); col. 2, lines 11-15).

**Regarding claim 11**, Nakamura et al discloses a solid-state image pickup device (Fig. 2, 11 or 12) mounted at the end of an insertion section of an endoscope;

a signal processing circuit (Figs. 2 and 4, 16) for driving the image pickup device and for producing a standard video signal in response to an output signal from the image pickup device;

wherein the signal processing circuit comprises the video processing circuit (16) and the function adjusting circuit (Fig. 8, 70).

**Regarding claim 12**, Kato teaches controlling a wave shaping operation for wave shaping (compensating waveform deterioration) the output signal from the solid-state image pickup device such as CCD (col. 1, lines 31-40; col. 2, lines 5-12).

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday-Friday.

SHAWN S. AN  
PATENT EXAMINER

SSA



August 24, 2003